

REMARKS

The last Office Action has been carefully considered.

It is noted that claim 1 is rejected under 35 U.S.C. 102(b) over the patent to Williams.

In connection with the Examiner's election requirement, it is respectfully submitted that in accordance with the present invention as defined in claim 1, the valve seat and/or the valve member is elastically deformable and the valve member can be thrust through the valve seat and subsequently the valve seat and the valve member assume their outset state. This feature is common to these species and all embodiments disclosed in the present application.

Also, it is respectfully submitted that the present application is a U.S. national phase of the original PCT application. In accordance with the PCT regulations, in particular Chapter 13, an application can contain several species united by the same general idea. Also, as specified in *Caterpillar Tractor Co. v. Commissioner of Patents and Trademarks*, reported in 231

USPQ 590, Rule 13 has to be followed during the examination of U.S. cases based on the PCT cases.

It is therefore believed that all species in the present application have to be considered jointly, and all claims currently on file have to be examined.

At the same time to be responsive, applicant has elected provisionally for further prosecution the species of Figure 3 (or 4) in which there is an elastic valve member which is thrust by a rigid valve seat. Claim 16 is specific to this embodiment. Claim 1 is generic to all the species and all other claims (2-15) can be applicable to the same species with the elastic valve member and the substantially rigid valve seat. However, as explained herein above, it is believed that all claims should be prosecuted which cover all the species currently on file.

Turning now to the Examiner's grounds for the rejection of the claims over the art, it is respectfully submitted that the new features of the present invention as defined in claim 1, are not disclosed in this reference and can not be derived from it as a matter of obviousness.

It is respectfully submitted that claim 1 defines a valve 10, 110, having a valve chamber 14, 114, having at least one inlet chamber 16, 116 and one outlet conduit 18, 118, branching off from the valve chamber, having a movable lifting rod 34, 134, which one end opens into an actuator 53.

An actuator, in particular such an actuator in which a moveable lifting rod on the valve opens, is not disclosed in the patent to Williams. The new features of the present invention as defined in claim 1 are not disclosed in this reference and can not be derived from it as a matter of obviousness. The reference does not disclose any actuator openable for the lifting rod of the valve.

Moreover, the patent to Williams discloses a valve which is an air valve for a tire as explained in column 1, lines 1-4 of the reference. In accordance with the construction of this valve, it operates without an actuator. The valve member 19 of the valve of the patent to Williams is lifted through the air pressure from the valve seat 18 or pressed against the same.

Furthermore, this reference does not disclose any hint or suggestion to design an air valve with a lifting rod with its one end to open in

an actuator, as defined in claim 1. Such a design of an air valve for a tire would be impractical and technically senseless.

Claim 1 should be considered as patentably distinguishing over the art and should be allowed.

The Examiner's attention is also respectfully directed to claim 14 which also defines important features of the present invention. The valve defined in this claim has the advantage in that, because of the chamfers formed on the valve seat and the associated valve member, the thrusting of the valve member toward the valve seat is facilitated. None of the references teaches the new features of the present invention as defined in claim 15.


It is therefore respectfully submitted that claim 15 should also be considered as patentably distinguishing over the art and should be allowed.

As for the dependent claims, these claims depend on claim 1, they share its presumably allowable features, and therefore it is respectfully submitted that they should be allowed as well.

Reconsideration and allowance of the present application is most respectfully requested.

Should the Examiner require or consider it advisable that the specification, claims and/or drawings be further amended or corrected in formal respects in order to place this case in condition for final allowance, then it is respectfully requested that such amendments or corrections be carried out by Examiner's Amendment, and the case be passed to issue. Alternatively, should the Examiner feel that a personal discussion might be helpful in advancing this case to allowance, he is invited to telephone the undersigned (at 631-549-4700).

Respectfully submitted,



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